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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

IN THE MATTER OF THE APPLICATION OF
WILHOIT WATER COMPANY, INC., YAVAPAI
MOBILE HOME ESTATES SYSTEM, FOR AN
EMERGENCY RATE INCREASE.

DOCKET NO. W-02065A-08-0592

PROCEDURAL ORDER**BY THE COMMISSION:**

On December 10, 2008, Wilhoit Water Company, Inc., Yavapai Mobile Home Estates System ("Company" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application requesting an emergency rate increase of approximately 100 percent by doubling its base rates and its gallonage charges because the Company indicated that, due to a lack of potable water production from its two wells, all of its water is being purchased from the City of Prescott ("City"). The current cost of water purchased from the City greatly exceeds the Company's current revenues from its customers.

On December 29, 2008, by Procedural Order, a hearing was scheduled on February 26, 2009, on the above-captioned matter.

On January 9, 2009, the City filed a copy of a letter to the Company indicating that the City intends to discontinue water service to the Applicant.

On January 28, 2009, the Company's attorney filed a letter in the docket which indicates that the Company has failed to provide public notice of the proceeding as ordered and requested that the hearing date be vacated, and that a new hearing and dates for public notice be ordered.

On January 30, 2009, by Procedural Order, the hearing was vacated and a status conference was scheduled for February 12, 2009.

On February 12, 2009, at the status conference, the Company's consultant appeared without the Company's attorney who was at another proceeding, and Staff appeared with counsel. Since the

Company failed to appear with counsel, the proceeding was recessed and the proceeding continued.

Accordingly, another status conference should be scheduled so that the Company can appear with counsel.

IT IS THEREFORE ORDERED that a **status conference** shall be held on **February 26, 2009, at 10:30 a.m.**, at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix, Arizona.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing

DATED this 17th day, of February, 2009.



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 17th day of February, 2009 to:

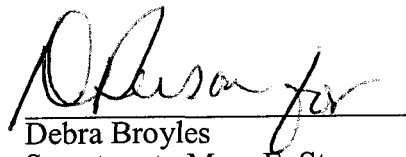
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